



MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION
APRIL 5, 2006

Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Commissioners Matthew Hopkins, Interim Vice-Chair Lenny Levy, Danny Winborne, and Lloyd Kaufman, City Attorney Cathy Borten, Planning and Code Administration Director Greg Ossont, Community Planning Director Trudy Schwarz, Planner Patricia Patula, and Recording Secretary Myriam Gonzalez. Chair Bauer stated that Alternate Commissioner Kaufman would be participating this evening, as not all Commissioners were present.

I. APPROVAL OF MINUTES

March 22, 2006, Planning Commission Meeting

Interim Vice-Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE the Minutes of the March 22, 2006, Planning Commission Meeting, as submitted this evening.

Vote: 5-0

II. RECORD PLATS

R-1180 -- Realty Park - Lot 90
Carpet Tile
Plat of Correction

Interim Vice-Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE Record Plat R-1180.

Vote: 5-0

III. RECOMMENDATION TO HISTORIC DISTRICT COMMISSION

HD-31 -- Historic designation of the Housley/Gaither House at 106 North Summit Avenue. The structure was built on Parcel P773 about 1929, and is listed within the City's Inventory of Historic Resources. The City's Historic Preservation Advisory Committee (HPAC) recommended historic designation of the Housely/Gaither House based on criteria within City Code § 24-226.

Chair Bauer noted the Commission's public hearing record on the above-referenced application is closed. Planner Patula added that the joint public hearing with the Historic District Commission (HDC) was held on March 20, 2006, after which four additional exhibits, which she listed, were received before the closing of the record. She briefly reviewed the staff analysis, including the physical description of the property, surrounding land uses, and Master Plan considerations. Relating to the latter, she noted the Olde Towne Master Plan recommends Sector 5, within which this property and two structures to the south are situated, to remain in their existing conditions, although there are opportunities for redevelopment in the sector.

Approved minutes are available at www.gaithersburgmd.gov or by mail upon written request.

Ms. Patula voiced staff's recommendation for approval of this application based on criteria of Zoning Ordinance § 24-226, which she discussed. She elaborated particularly on §§ 24-226(b)(1)a. and c., and 24-226(b)(2)a. and f., as well as other supporting considerations. She answered questions of Chair Bauer relating to the Olde Towne Plan and criteria in subsection f. of 24-226(b)(2). She noted that the Historic Preservation Advisory Committee (HPAC) favored designation without hindering further development on the site by incorporating the house in future construction on the site. In response to Commissioner Kaufman's inquiries about relocating structures worth saving to areas behind Diamond/Summit Avenues, Ms. Patula discussed the possibilities and obstacles of relocation as Commissioner Kaufman suggested.

Following discussion of several factors in the evidence for/against designation, e.g., lack of direct relationship of occupants to Benjamin Gaither, lack of significance of architectural details vs. designation criteria met by the application, the Commission concurred on retaining the house only so that the land is still available for redevelopment. The Commission agreed with the HPAC's findings that there is evidence for historic designation, and favored endorsing the Olde Towne Plan by allowing relocation of the structure or incorporating it into future redevelopment so as not to compromise the land.

Commissioner Kaufman moved, seconded by Commissioner Winborne, to recommend HD-31 - Housley/Gaither House, against historic designation to the Historic District Commission, and acknowledging HPAC's findings, the Commission further recommended preservation of the structures either by incorporation into future redevelopment or relocation.

Vote: 5-0

IV. SITE PLAN

AFP-06-009 -- Hidden Creek Clubhouse/Swimming Pool MXD Zone
600 Pelican Avenue
Addition of Handicap Parking/Access
AMENDMENT TO FINAL PLAN REVIEW

Community Planning Director Schwarz indicated the location of the site, noting it is under construction. She also noted that this plan amendment is to include the handicap access and parking, as they were not shown on the original site plan. She explained that the addition of handicap parking spaces changed the parking calculations of the plan, which requires Planning Commission approval. The pool facility would serve all Land Bays of Hidden Creek.

Applicant representative Kim McCary, Rodgers Consulting Inc., briefly noted the locations of all three Land Bays of Hidden Creek. He indicated the original submission omitted four handicap parking spaces for the pool and clubhouse, which resulted in the loss of two spaces in the overall parking. He noted the location of the handicap spaces, the aisle for them, and the architectural ramp to access the facility. Mr. McCary presented and discussed the building architectural elevations showing the ramp with railing, and, in response to Chair Bauer, discussed materials.

Mr. McCary answered Chair Bauer's inquiries relating to homeowners association approval and compliance with architectural guidelines by noting that Centex Homes is still acting as the homeowners association. Commissioner Winborne asked about the handicap parking layout and distance to the building and aisle, which Mr. McCary explained.

There was no testimony from the public.

Mrs. Schwarz voiced staff's recommendation for approval, noting the plan meets Zoning Ordinance §§ 24-170 and 24-172, subject to the applicant's compliance with the condition that she listed. The Commission agreed with staff's findings and moved as follows:

Commissioner Kaufman moved, seconded by Commissioner Winborne, to grant AFP-06-009 - Hidden Creek Clubhouse/ Swimming Pool, AMENDMENT TO FINAL PLAN APPROVAL, finding the plan in compliance with Zoning Ordinance §§ 24-170 and 24-172, with the following condition:

1. Applicant is to submit construction drawings and details of the changes of this plan to the City's Senior Plans Examiner before the beginning of construction of the ramps.

Vote: 5-0

V. DISCUSSION

Olde Towne Design Guidelines

Planning and Code Administration Director Ossont referenced his March 28, 2006, memorandum to the Commission, which proposed some considerations for updating portions of the Olde Towne Design Guidelines. He briefly reviewed the portions that were highlighted for further consideration, namely, references to the recently-eliminated Olde Towne Business District Community Development Corporation (CDC), listings of specific materials, and applicability of other code regulations.

Commissioner Hopkins commented on the list of materials, noting that some good materials are not included in the Guidelines. He cautioned against too much specificity by the listing of materials without providing language to indicate the architectural intent that the Guidelines seek to accomplish. The Commission agreed with his comments and directed staff to draft language to provide the intent for the aesthetic environment and the use of environmental-sensitive materials. Chair Bauer added, however, that the listing of materials should not be deleted until the final language is achieved, which should reflect that Olde Towne is as much commercial as it is residential. Interim Vice-Chair Levy stated he would convey to staff a number of suggestions and made some inquiries relating to the CDC, which Mrs. Schwarz answered.

VI. FROM THE COMMISSION

Interim Vice-Chair Levy

Commented on his reappointment to the Planning Commission by noting he is pleased to continue to serve the community with his fellow Commissioners, as he considered serving an honor and privilege.

Commissioner Hopkins

Commented on the book, *Place Making on a Budget*, published by the Urban Land Institute, and requested its circulation among the staff.

Commissioner Kaufman

1. Congratulated Commissioner Levy on his reappointment to the Planning Commission.
2. Highly recommended reading a recently released report by the Maryland-National Capital Park and Planning Commission entitled, "Framework for Planning in the Future," noting it contains information on revitalizing centers, reshaping boulevards, and creating great public spaces. The report is available at www.mcmncppc.org.
3. Reported safety hazards for pedestrians at intersections of alleys with public streets in Kentlands/Lakelands and Olde Towne, as there are no "Stop" signs (painted or posted) at these locations. Planning and Code Administration Director Ossont noted that mews are private property, but that staff would coordinate with the Homeowners Associations to address this issue.

Chair Bauer

1. Suggested that items such as the one above should be included in reviewing the Casey East/West plans.
2. Requested that Elections of Officers be included on the next meeting agenda.

VII. FROM STAFFCommunity Planning Director Schwarz

1. Reminded the Commission of a joint worksession with the City Council on April 24.

Planning and Code Administration Director Ossont

1. Provided an update on the progress of Annexation Application X-182 - Crown Farm, under review by the County Council, and noted that if the Commission has no objections, it would be ready for scheduling it on the next meeting agenda for recommendation to the Mayor and City Council. He added that the Commission could receive a preliminary packet of materials on April 7 to allow sufficient time for their review, and a completed packet would be included in the informational packages for the next regular Planning Commission meeting on April 19. The Commission agreed and made the following motion:

Interim Vice-Chair Levy moved, seconded by Commissioner Winborne, to close the Planning Commission public hearing record on X-182 at 12 Noon on April 14, 2006.

Vote: 5-0

VIII. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 9:00 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary